

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION**

MDL No. 2804
Case No. 17-md-2804
Judge Dan A. Polster

This Document Relates to: All Cases

STATUS REPORT OF MASTERS PHARMACEUTICAL, INC

Masters Pharmaceutical, LLC (“Masters”) provides this status report in response to the Court’s June 23, 2022, order setting a status conference with counsel for the remaining distributor and manufacturer defendant families most frequently named in MDL cases, instructing counsel to submit a status report by September 21, 2022.

Masters reports as follows:

Current Status. On June 27, 2022, Masters and other remaining manufacturer and distributor defendants participated in a teleconference with members of the Plaintiffs’ Executive Committee (“PEC”) which conference was moderated by Special Master David Cohen. The parties agreed that counsel for individual defendant groups would participate in individual conferences with members of the PEC.

Masters has since participated in two such individual conferences with members of the PEC, on August 4, 2022, and September 13, 2022, respectively. The parties discussed jurisdictions where Masters had zero sales or miniscule sales. The PEC advised that it would attempt to communicate with counsel for such jurisdictions to encourage them to acquiesce to Masters’ dismissal in such cases. Following its most recent conference with the PEC, Masters

provided the PEC with a list of cases where it is named as a defendant, including contact information for plaintiffs' counsel in such cases, and including information regarding Masters' sales activities in the respective plaintiff jurisdictions. Masters has also provided the PEC with a listing of certain information which it requests from the respective plaintiff jurisdictions.

All conferences to date between Masters and the PEC have been cordial, cooperative and productive, with the parties agreeing to move forward to try to streamline the number of pending cases and to exchange some information. Given such agreements, to this point, the parties have not encountered an impasse on any points of discussion.

Insurance Coverage. On September 7, 2022, the Ohio Supreme Court decided the declaratory judgment action pending between Masters and one of its two insurers. The Ohio Supreme Court ruled in favor of the insurer and found that Masters was not entitled to coverage under the disputed insurance policy. Masters has discussed with the PEC the limitations on the available insurance coverage remaining.

Settlement. Masters remains interested in pursuing settlement negotiations moving forward. Masters and the PEC have exchanged some information, but are not at the point yet where Masters and the PEC can have significant settlement discussions. However, Masters and the PEC are moving in that direction.

Masters Recommendation and Request. Given that the parties have exchanged some information and have agreed to take some specific steps to attempt to reduce and streamline the pending cases, Masters believes further discussions and information exchanges will assist the parties in moving toward potential dismissal or settlement of many or all pending claims. Therefore, Masters requests the Court schedule another status conference in approximately 90 days.

Dated: September 21, 2022

Respectfully Submitted,

/s/ William J. Aubel

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CERTIFICATE OF SERVICE

The undersigned certifies on September 21, 2022, the foregoing was filed using the Court's CM/ECF system and will be served via the Court's CM/ECF filing system on all attorneys of record.

/s/ William J. Aubel